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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/579,399	05/25/2000	Christopher E. Pearce	062891.0408	7429
5073	7590	04/05/2006	EXAMINER	
BAKER BOTTS L.L.P.			HARPER, KEVIN C	
2001 ROSS AVENUE			ART UNIT	
SUITE 600			PAPER NUMBER	
DALLAS, TX 75201-2980			2616	

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

A

Office Action Summary	Application No.	Applicant(s)	
	09/579,399	PEARCE, CHRISTOPHER E.	
	Examiner	Art Unit	
	Kevin C. Harper	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-9 and 12-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-9,12,13,17-33,36-54 and 56-63 is/are rejected.
- 7) ☒ Claim(s) 14-16,34,35 and 55 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/05</u> . | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Applicant's arguments with respect to claims 14, 16, 35 and 55 have been fully considered and are persuasive. The previous rejection has been withdrawn.

Applicant's arguments filed January 23, 2006 have been fully considered but they are not persuasive.

1. Applicant argued that Oran does not disclose a partition search space and a dialing partition table. However, in Oran a dialing partition table is the database that contains telephone numbers that may be called (fig. 2A, item 32; col. 3, lines 49-51; col. 5, lines 27-28). Database 32 is equivalent to a dialing partition as described in the specification on page 61, lines 13-22. A partition search space in Oran consists of one dialing partition table (col. 3, lines 48-53 and 56-60; col. 5, lines 27-28). The partition search space of Oran is equivalent to the partition search space as described in the specification on page 61, lines 22-26.

2. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the partition search space includes the name(s) of one or more dialing partition tables) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

3. Applicant argued that Oran does not disclose dialing partition tables based on a first and second organization. However, in fig. 5, PBX site A and PBX site B are organizations of a company (col. 5, lines 30-33). Each PBX has a different dialing partition table (col. 5, lines 41-45; note: the best PBX is chosen based on the destination of a call.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-5, 7-9, 12-13, 17-22, 24-33, 36-41, 43-49, 51-54, 56-57 and 59-61 are rejected under 35 U.S.C. 102(e) as being anticipated by Oran (US 6,275,574).

4. Regarding claims 1, 7-9, 12-13, 17-21, 24-28, 33, 36, 43-48, 51-54, 56 and 59-61, Oran discloses a method of routing calls using dialed number (digit) partitions (fig. 2a; fig. 3, item 32; col. 5, lines 40-50). The method comprises receiving a call request at a call manager (fig. 1, item 18 or 28) from a first device coupled to a packet based network (fig. 1), accessing a dialing partition table based on a partition search space associated with the first device (col. 5, lines 40-50), determining a routing target associated with a telephone number (col. 5, lines 40-46), and communicating the call request to the routing target (col. 6, lines 56-67). Further regarding claims 45-48 and 51-52, the method is inherently performed using software (fig. 1, item 18, 26 and 28).

5. Regarding claims 2-5 and 29-32, non-IP telephony devices (fig. 1, item 14) utilizing a gateway (item 18) and IP telephony devices (item 24) are in the network.

6. Regarding claims 22, 37-41, 49 and 57, a best phone number match is found for routing (col. 6, lines 56-67).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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Claims 23, 42, 50, 58 and 62-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oran (US 6,275,574) in view of Riskin (US 4,757,267).

7. Regarding claims 23, 42, 50, 58 and 62-63, Oran discloses a method of routing calls as described in the rejection of claim 1 above. However, Oran does not disclose dialing partition tables having a number for a long distance call. Riskin discloses dialing partition tables within a partition space having a long distance telephone number (col. 5, lines 31-45; note: the call to the 1-800 number is routed differently based on the location of the caller; fig. 2, item 36; col. 11, lines 40-44). Further regarding claims 23, 42, 50 and 58, a first number from a list of numbers is chosen (col. 4, lines 9-11). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to provide different routing targets based on a dialing partition space in the invention of Oran in order to route a call to a local destination (Riskin, col. 4, lines 4-11).

Allowable Subject Matter

8. Claims 14-16, 34-35 and 55 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

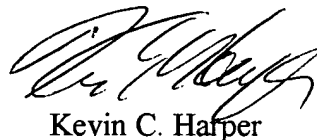
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 571-272-3166. The examiner can normally be reached weekdays from 11:00 AM to 7:00 PM ET.

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• If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To, can be reached at 571-272-7629. The centralized fax number for the Patent Office is 571-273-8300. For non-official communications, the examiner's personal fax number is 571-273-3166 and the examiner's e-mail address is kevin.harper@uspto.gov.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications associated with a customer number is available through Private PAIR only. For more information about the PAIR system, see portal.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kevin C. Harper

April 1, 2006